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(703) 739-4900  
(703) 739-9577 FAX  
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**DATE:** June 6, 2006**TO:**

| NAME:  | FAX NO.:     | PHONE NO.:   |
|--|--------------|--------------|
| Examiner David C. Comstock<br>U.S. Patent and Trademark Office | 571-273-8300 | 571-272-4710 |

**NUMBER OF PAGES (INCLUDING COVER  
PAGE):**

29

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**FROM:** Marvin Petry**C/M CODE:** 1641LT-4930**TRANSMITTED BY:** Susan B. Finke**MESSAGE:** Dear Mr. Comstock:

Enclosed is a draft Amendment which, based on our discussions of May 2, 2006 should place this application in condition for allowance.

I would appreciate it if you could review this draft Amendment and let me have your comments as soon as possible, preferably before the Appeal Brief deadline date of June 8, 2006.

1641LT:4930:32027:1:ALEXANDRIA

Customized PTO/SB/21 (12-04)

|  |                |                        |
|--|----------------|------------------------|
| <b>TRANSMITTAL FORM</b><br><br>(for all correspondence after initial filing) | Application #  | 10/070,823             |
|  | Confirmation # | 9547                   |
|  | Filing Date    | July 15, 2002          |
|  | First Inventor | BEYERSDORFF            |
|  | Art Unit       | 3733                   |
|  | Examiner       | Comstock, David C.     |
| Total number of pages in this submission =                                   |                | Docket # P06795US00/MP |

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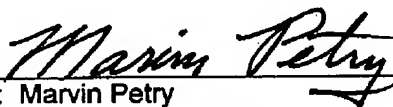
| ENCLOSURES (check all that apply)  |  |
|--|--|
| <input type="checkbox"/> Fees calculated below<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> including Attachment(s)<br><input checked="" type="checkbox"/> After Final Amendment<br><input checked="" type="checkbox"/> including Attachments A (remarks) & B (claims)<br><input type="checkbox"/> Extension of Time Petition<br><input type="checkbox"/> | <input type="checkbox"/> Response to Missing Parts/Incomplete Appl.<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Terminal Disclaimer<br><input checked="" type="checkbox"/> Certificate of Transmission Under 37 CFR 1.8<br><input type="checkbox"/> |

| FEES CALCULATION: For claims if required and/or other fees as shown below:     |     |                     |               |            |    |
|--|-----|---------------------|---------------|------------|----|
|  | NOW | Previously Paid For | Present Extra | Rate       | \$ |
| <input type="checkbox"/> TOTAL CLAIMS  | 81  | - 93                | 0             | X \$ 50 =  |    |
| <input type="checkbox"/> INDEPENDENT CLAIMS                                    | 13  | - 15                | 0             | X \$ 200 = |    |
| TOTAL OF ABOVE CLAIMS FEES =   |     |                     |               |            |    |
| <input type="checkbox"/> Reduction by 1/2 for small entity status of applicant |     |                     |               |            |    |
| SUBTOTAL =   |     |                     |               |            |    |
| <input type="checkbox"/> Fee for extension of time (per attached Petition)     |     |                     |               |            |    |
| <input type="checkbox"/> Other fee for   |     |                     |               |            |    |
| TOTAL OF ALL FEES =  |     |                     |               |            | 0  |

☐ A CREDIT CARD PAYMENT FORM (PTO-2038) in the amount of \$0 is enclosed.

- ☒ The Commissioner is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:
- (1) If no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
- (2) If no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: June 6, 2006

  
By: Marvin Petry  
Registration No.: 22752

STITES & HARBISON PLLC ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314  
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ Customer No. 00881

1641LT:4930:32019:1:ALEXANDRIA

Customized Form PTO/SB/97 (09-04)

|   |                |                    |
|---|----------------|--------------------|
| <b>CERTIFICATE OF<br/>TRANSMISSION<br/>UNDER 37 CFR 1.8</b> | Application #  | 10/070,823         |
|   | Confirmation # | 9547               |
|   | Filing Date    | July 15, 2002      |
|   | First Inventor | BEYERSDORFF        |
|   | Art Unit       | 3733               |
|   | Examiner       | Comstock, David C. |
|   | Docket #       | P06795US00/MP      |

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office [to the centralized facsimile number of (571-273-8300)] on the below identified date.

*[Note: This form applies only to the facsimile transmission of the attached correspondence related to the above identified application.]*

Date: June 6, 2006

By:   
Name: Marvin Petry  
Registration No.: 22752

**STITES & HARBISON PLLC** ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314  
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 00881

1641LT:4930:32018:1:ALEXANDRIA

|  |                |                    |
|--|----------------|--------------------|
| <b>AMENDMENT AFTER<br/>FINAL REJECTION</b> | Application #  | 10/070,823         |
|  | Confirmation # | 9547               |
|  | Filing Date    | July 15, 2002      |
|  | First Inventor | BEYERSDORFF        |
|  | Art Unit       | 3733               |
|  | Examiner       | Comstock, David C. |
|  | Docket #       | P06795US00/MP      |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:


In response to the Final Rejection dated August 23, 2005, and further in response to the Notice of Panel Decision from Pre-Appeal Brief Review dated May 8, 2006, please consider the responsive **Remarks** provided herewith in **Attachment A**, and please amend the above identified application as follows:

- **Amendments to the Claims** are reflected in the listing of the claims provided herewith in **Attachment B**.

In view of the amendments made and the remarks provided, it is submitted that the present application is in condition for allowance.

Respectfully submitted,

Date: June 6, 2006

  
By: Marvin Petry  
Registration No.: 22752

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TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 000881